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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3775 OF 2005
IN
INCOME TAX APPEAL (L) NO. 1637 OF 2005

The Commissioner of Income Tax ... Appellant

Versus

M/s. G.L. Ice Creams ... Respondent

Mr. R.G. Bhat for the Appellant.

None for Respondents.

CORAM: F.I. REBELLO &
J.P. DEVADHAR, JJ.
DATED: SEPTEMBER 12, 2007

P.C.:

. There is delay of 364 days. The learned counsel states that the respondents have been served. There is nothing on record to that effect. The learned counsel to file zerox copy of the affidavit of service. In the affidavit in support, it is contended that the draft appeal memo was received on 2.12.2004. It appears that no stamp papers were available upto 10.11.2005 and the appeal was filed on 30.11.2005. There is no affidavit contesting the said averments. In our opinion considering the cause shown, the same amounts to sufficient cause. Hence, delay condoned. Office to register the appeal.

(J.P. DEVADHAR, J.) **(F.I.REBELLO, J.)**